

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1PET (1738) FAX (602) 364-1039

VETBOARD.AZ.GOV

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Feb. 26, 2010 Case Number: 18-82

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Shannon Kafel/Stephen Waldo

Premise Name: 1st Pet Veterinary Center

Premise Address: 504 E. Southern Ave.

City: Mesa State: AZ Zip Code: 85206

Telephone: (480) 924-3972

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Eric Rivchin & Kensley Laspina

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

FEB 26 2010

BK

C. PATIENT INFORMATION (1):

Name: Diamond

Breed/Species: American Pit Bull

Age: 11 Sex: Female Color: White and Brown

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Shannon Kafer/Stephen Waldo
504 E. Southern Ave.
Mesa, AZ 85206

Dr. Kristina Sorenson
2917 S. Dobson Rd., #102
Mesa, Az 85202

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Eric Rivchin & Kensley Laspina



Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: E.Chr

Date: 2/22/18

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

On September 14, 2017 the above witnesses brought Diamond to 1st Veterinary Center with the concern for Diamond's female organs. We felt with all certainty that she had an infection in her female organs and needed antibiotics.

She was seen by Dr. Stephen Waldo who advised that Xrays and blood work were necessary to make a diagnosis or prescribe any medication. The total cost was estimated at \$695 to \$794 including a cost of \$247 for the Xrays. Due to the cost, the owners decided that they would decline service and paid \$60 for the appointment and no medication was provided for Diamond.

Since Diamond's symptoms worsened they brought Diamond back on October 3, 2017. At this exam Dr. Shannon Kafer examined Diamond and was able to offer a low-cost ultra sound for a cost of \$15 where Dr. Kafer was able to diagnose Diamond and recommend surgery AND provide antibiotics. Dr. Kafer gave an estimate ranging from \$3164 to \$4686 for surgery. The doctor also advised that Diamond was a very sick girl and it would not be inhumane to euthanize her at that point in time. We declined surgery at the estimated price and, likewise declined to euthanize our long time companion. We then paid a total of \$264 which covered the cost of the visit and the antibiotics. We found it very upsetting that Dr. Kafer suggested that we euthanize Diamond.

The next day we brought Diamond to Dobson Ranch Animal Hospital, who agreed to perform the surgery at the cost of \$2163.14. This includes a \$20 payment plan set up fee. Diamond has successfully recovered.

Mr. Rivchin asserts that the surgery may have been avoided if Dr. Waldo had offered the low-cost ultrasound and antibiotics as an option in the first visit, as Dr. Kafer provided in the second visit. Mr. Rivchin also asserts that providing same would have diagnosed and cured Diamond's condition without the need for surgery. Likewise, he contends that he and Diamond were both subjected to unnecessary stress and suffering due to the failure 1st Pet Veterinary to properly address the situation at the initial visit.

Mr. Rivchin asks that you reimburse him for the cost of surgery, medication and pain and suffering, of both him and Diamond, in the amount of \$2487.00. Although the monies accrued have been a hardship on Mr. Rivchin and Ms. Laspina, the fact that they were advised to euthanize Diamond has been very traumatic. We can't believe that a veterinary physician would even suggest that.

18-902

On 10/03/2017, I evaluated Diamond, a 11 year old, female intact Pitbull owned by Eric Rivchin and Kensley Laspina. The owners' presenting concern on that visit was abnormal vaginal discharge.

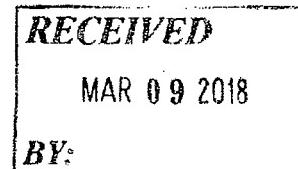
Diamond was previously seen on 09/14/2017 by Dr. Stephen Waldo, a general practitioner, for evaluation of reported vaginal discharge, vomiting, and diarrhea. Both examinations were performed at 1st Pet Veterinary Centers in Mesa, AZ.

In September, Dr. Waldo discussed his concern for a potentially life-threatening illness (pyometra) and recommended performing diagnostics including bloodwork and radiographs which owners declined due to cost. The owners additionally declined any symptomatic treatment at that time.

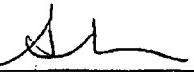
When Diamond presented to me on 10/03/2017 she was having hemorrhagic/purulent vaginal discharge that was not noted during her previous visit on 9/14/2017. Due to clinical signs, signalment, history, and progression of symptoms, I had a strong suspicion for pyometra. The owner indicated financial constraints. I offered a FAST scan (ultrasound) and identified an apparent pyometra. Hospitalization and surgery were recommended, which the owners declined due to cost. The owners elected to seek lower cost surgical options elsewhere and Diamond was discharged with oral antibiotics.

The owners are seeking reimbursement for surgical costs (surgery was performed at another veterinary clinic) and are claiming they have endured pain and suffering due to the discussion regarding euthanasia. During the 10/03/2017 visit, euthanasia was discussed as an option if the owners couldn't afford appropriate treatment, due to the pet's poor prognosis and declining quality of life. I do empathize with the owners' distress. Having a severely ill pet and considering euthanasia if the pet cannot be treated is an unfortunate burden of responsible pet owners. However, euthanasia is also a reasonable and humane recommendation for a very ill patient that would likely suffer and die without medical intervention.

The client was offered appropriate diagnostic and therapeutic recommendations for their pet's condition and (confirmed) diagnosis. The client declined all recommendations. I am very happy that the owner was able to find treatment, but I am also confident that my recommendations



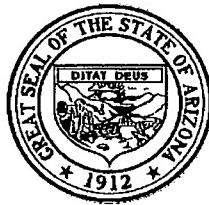
for treatment of Diamond met medical standards of care.

Signed: 

Date: 03/07/18

Case #: 18-82

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: PM Investigative Committee: Donald Noah, D.V.M. – Chair - **Absent**

Amrit Rai, D.V.M.

Adam Almaraz - Acting Chair

Christine Butkiewicz, D.V.M.

Tamara Murphy

STAFF PRESENT: Tracy A. Riendeau, CVT - Investigations

Victoria Whitmore, Executive Director

Sunita Krishna, Assistant Attorney General

RE: Case: 18-82

Complainant(s): Eric Rivchin & Kensley Laspina

Respondent(s): Shannon Kafer, DVM (License: 6771)

SUMMARY:

Complaint Received at Board Office: 2/26/18

Committee Discussion: 6/5/18

Board IIR: 8/15/18

APPLICABLE STATUTES AND RULES:

Laws as Amended July 2014

(Salmon); Rules as Revised September
2013 (Yellow)

On September 14, 2017, "Diamond," an 11-year-old female intact Pitbull was presented to Dr. Waldo due to vomiting and diarrhea. Diagnostics and treatments were recommended and declined by Complainants.

On October 3, 2017, the dog was presented to Dr. Kafer for abnormal vaginal discharge. Dr. Kafer suspected pyometra which was confirmed via ultrasound. Hospitalization and surgery was recommended, euthanasia was also suggested as an option. Complainants declined and the dog was discharged with antibiotics.

Complainants contend Respondent was negligent in the care of the dog.

Complainants were noticed and did not appear.

Respondent was noticed and appeared.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Eric Rivchin & Kensley Laspina
- Respondent(s) narrative/medical record: Shannon Kafer, DVM
- Consulting veterinarian(s) narrative/medical record: Kristina Sorenson, DVM – Dobson Ranch Animal Hospital

PROPOSED 'FINDINGS of FACT':

1. On September 14, 2017, the dog was presented to Dr. Waldo for vomiting and diarrhea. Complainants reported that the dog was eating and drinking well, had vaginal discharge for 1 – 2 months. The dog had previously been diagnosed with hypothyroidism but not on treatment. Upon exam, the dog had a weight = 98.5 pounds, a temperature = 100.8 degrees, a heart rate = 120bpm and a respiration rate = 40rpm. Dr. Waldo noted that the dog was obese, was mildly dehydrated, had prolapsed third eyelid, corneal edema and conjunctivitis to the right eye and lenticular sclerosis to the left eye. The dog also had thinning hair coat, periodontal disease, slight abdominal effort in breathing and was weak in hind end. No visible vulvar discharge was present. Dr. Waldo further noted that the dog had submandibular enlarged lymph nodes and prominent popliteal nodes.

2. Dr. Waldo's rule-outs were pyometra, neoplasia, pancreatitis, GI foreign body, toxin, gastroenteritis, infectious, renal disease, hepatic disease, endocrine, metabolic, and open. He advised Complainants that there were a number of serious, potentially life-threatening conditions that could be causing the dog's symptoms and initial diagnostics should be performed. Complainants were presented with an estimate for initial diagnostics that included blood work and radiographs. The estimate also included potential treatments of injectable and oral medications as well as SQ fluids with the intention that the treatment plan could change pending results of the blood work and radiographs. Complainants declined due to financial constraints.

3. Dr. Waldo then offered symptomatic treatment for the presenting complaint of vomiting and diarrhea. The plan would have included a cerenia injection or tablets to go home as well as SQ fluids to address dehydration. Complainants declined this treatment plan also and elected to take the dog home. Dr. Waldo advised Complainants that the dog could have a life-threatening disease and she could deteriorate without treatment.

4. On October 3, 2017, the dog was presented to Dr. Kafer for lethargy and vaginal discharge. Upon exam, the dog had a weight = 97 pounds, a temperature = 103.1 degrees, a heart rate = 112bpm and a respiration rate = 50rpm. Dr. Kafer noted the dog was lethargic and obtunded; had hemorrhagic, purulent vaginal discharge and developed mammary glands. She discussed her concerns for pyometra and recommended an ultrasound to confirm; Complainants approved.

5. The ultrasound was consistent with pyometra – large fluid filled structures lateral to bladder bilaterally. Dr. Kafer recommended surgery and provided an estimate. Complainants declined due to financial constraints and elected to take the dog home to find a surgeon who could perform the procedure for less. Dr. Kafer also offered humane euthanasia, Complainants declined this offer as well. The dog was discharged with Clavamox tablets.

6. On October 4, 2017, the dog was presented to Dobson Ranch Animal Hospital for possible surgery. Dr. Sorenson examined the dog, performed blood work and an ultrasound; pyometra surgery was recommended and Complainants approved. Surgery was performed, the dog recovered and was discharged later that day.

COMMITTEE DISCUSSION:

The Committee discussed that Respondent handled the case appropriately. Recommendations for care and treatment were recommended and complainants declined due to financial constraints.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the Veterinary Practice Act occurred.

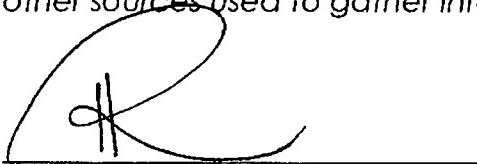
COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 4 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.



Tracy A. Riendeau, CVT
Investigative Division